#### UNITED STATES JUDICIAL PANEL on MULTIDISTRICT LITIGATION

IN RE: DEPUY ORTHOPAEDICS, INC., PINNACLE HIP IMPLANT PRODUCTS LIABILITY LITIGATION

MDL No. 2244

(SEE ATTACHED SCHEDULE)

#### **CONDITIONAL TRANSFER ORDER (CTO-70)**

On May 23, 2011, the Panel transferred 3 civil action(s) to the United States District Court for the Northern District of Texas for coordinated or consolidated pretrial proceedings pursuant to 28 U.S.C. §1407. See 787 F.Supp.2d 1358 (J.P.M.L. 2011). Since that time, 373 additional action(s) have been transferred to the Northern District of Texas. With the consent of that court, all such actions have been assigned to the Honorable James Edgar Kinkeade.

It appears that the action(s) on this conditional transfer order involve questions of fact that are common to the actions previously transferred to the Northern District of Texas and assigned to Judge Kinkeade.

Pursuant to Rule 7.1 of the <u>Rules of Procedure of the United States Judicial Panel on Multidistrict Litigation</u>, the action(s) on the attached schedule are transferred under 28 U.S.C. §1407 to the Northern District of Texas for the reasons stated in the order of May 23, 2011, and, with the consent of that court, assigned to the Honorable James Edgar Kinkeade.

This order does not become effective until it is filed in the Office of the Clerk of the United States District Court for the Northern District of Texas. The transmittal of this order to said Clerk shall be stayed 7 days from the entry thereof. If any party files a notice of opposition with the Clerk of the Panel within this 7-day period, the stay will be continued until further order of the Panel.

Inasmuch as no objection is pending at this time, the stay is lifted.

May 14, 2012

CLERK'S OFFICE
UNITED STATES
JUDICIAL PANEL ON
MULTIDISTRICT LITIGATION

FOR THE PANEL:

Jeffery N. Lüthi Clerk of the Panel

Contified a true copy of an instrument

on file in my office on \_\_\_

Clerk, U.S. District Court, Northern District of Texas

\_\_\_\_\_ Deputy

# IN RE: DEPUY ORTHOPAEDICS, INC., PINNACLE HIP IMPLANT PRODUCTS LIABILITY LITIGATION

MDL No. 2244

#### SCHEDULE CTO-70 - TAG-ALONG ACTIONS

| <b>DIST</b>         | DIV. | C.A.NO.             | CASE CAPTION   |  |  |
|---------------------|------|---------------------|--|--|--|
| ALABAMA MIDDLE      |      |                     |  |  |  |
| ALM                 | 2    | 12-00288            | Montieth or DeBorr Outhernesdien Inc. et al.                   |  |  |
| ALM                 | 2    | 12-00200            | Montieth v. DePuy Orthopaedics, Inc. et al                     |  |  |
| CALIFORNIA CENTRAL  |      |                     |  |  |  |
| <del>CAC</del>      | 2    | <del>12-03447</del> | John P. Colee v. DePuy Orthopaedies, Inc. et al Opposed 5/4/12 |  |  |
| CAC                 | 2    | 12-03489            | Jean Knapp et al v. DePuy Orthopaedics, Inc. et al             |  |  |
| CALIFORNIA NORTHERN |      |                     |  |  |  |
| CAN                 | 3    | 12-01976            | Neale et al v. DePuy Orthopaedics, Inc. et al                  |  |  |
| CAN                 | 3    | 12-01977            | Eder v. DePuy Orthopaedics, Inc. et al                         |  |  |
| CAN                 | 3    | 12-01979            | Oxley v. DePuy Orthopaedics Inc. et al                         |  |  |
| CAN                 | 4    | 12-01973            | Friel et al v. DePuy Orthopaedics, Inc. et al                  |  |  |
| CAN                 | 4    | 12-01974            | Jolly et al v. DePuy Orthopaedics, Inc. et al                  |  |  |
| CAN                 | 4    | 12-01980            | Haydock et al v. DePuy Orthopaedics, Inc. et al                |  |  |
| CAN                 | 4    | 12-02009            | Gildez v. DePuy Orthopaedics, Inc. et al                       |  |  |
| CALIFORNIA SOUTHERN |      |                     |  |  |  |
| CAS                 | 3    | 12-00506            | Jacobs v. Depuy Orthopaedics, Inc. et al                       |  |  |
| INDIANA NORTHERN    |      |                     |  |  |  |
| INN                 | 3    | 12-00188            | Bonds et al v. DePuy Orthopaedics Inc et al                    |  |  |
| INN                 | 3    | 12-00189            | Presley et al v. DePuy Orthopaedics Inc et al                  |  |  |
| INN                 | 3    | 12-00190            | Huntington v. DePuy Orthopaedics Inc et al                     |  |  |
| INN                 | 3    | 12-00191            | Donofrio v. DePuy Orthopaedics Inc et al                       |  |  |
| INN                 | 3    | 12-00192            | Johnson v. DePuy Orthopaedics Inc et al                        |  |  |
| INN                 | 3    | 12-00195            | Hampton et al v. DePuy Orthopaedics Inc et al                  |  |  |
| INN                 | 3    | 12-00196            | Henderson et al v. DePuy Orthopaedics Inc et al                |  |  |
| INN                 | 3    | 12-00197            | Cochran v. DePuy Orthopaedics Inc et al                        |  |  |
| INN                 | 3    | 12-00198            | Revet v. DePuy Orthopaedics Inc et al                          |  |  |
| INN                 | 3    | 12-00199            | Reece et al v. DePuy Orthopaedics Inc et al                    |  |  |

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| INN     | 3      | 12-00201 | Claypool v. DePuy Orthopaedics Inc et al          |
|---------|--------|----------|---|
| INN     | 3      | 12-00204 | Williams v. DePuy Orthopaedics Inc et al          |
| INN     | 3      | 12-00205 | Frank v. DePuy Orthopaedics Inc et al             |
| INN     | 3      | 12-00206 | Olson v. DePuy Orthopaedics Inc et al             |
| INN     | 3      | 12-00213 | Phillips v. DePuy Orthopaedics Inc et al          |
| INN     | 3      | 12-00214 | Grandberry-Morrow v. DePuy Orthopaedics Inc et al |
| INN     | 3      | 12-00215 | Gray v. DePuy Orthopaedics Inc et al              |
| INN     | 3      | 12-00216 | Lilienthal v. DePuy Orthopaedics Inc et al        |
| INN     | 3      | 12-00218 | Hammonds v. DePuy Orthopaedics Inc et al          |
| INN     | 3      | 12-00219 | Sanchez v. DePuy Orthopaedics Inc et al           |
| INN     | 3      | 12-00220 | Carter v. DePuy Orthopaedics Inc et al            |
| INN     | 3      | 12-00221 | Woods v. DePuy Orthopaedics Inc et al             |
| OHISIAI | NA EAC | TEDN     |   |

### LOUISIANA EASTERN

| <del>LAE</del> | 2     | <del>12-01062</del> | Burton v. Mark Starring and Associates, Inc. et al | Opposed 5/9/12 |
|----------------|-------|---------------------|--|----------------|
| NEW YOR        | K SOL | THERN               |  |                |

NYS 1 12-03116 Smith et al v. DePuy Orthopaedics, Inc. et al